

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.09 Z, Closed Area No. 57-B, Carrying Place Cove, Eastport, promulgated on January 9, 1990, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.09 Z, Closed Area No. 57-B, Deep Cove, Eastport.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels and other marine mollusks from all shores, flats and waters of Deep Cove, Eastport, easterly (shoreward) of a line starting at the western-most tip of Shackford Head and extending northwesterly to the most westerly tip of Mathews Island.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: December 3, 1996

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Bangor Daily News
December 6, 1996

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.09 Z, Closed Area No. 57-B, Carrying Place Cove, Eastport, promulgated on January 9, 1990, and enacts a new regulation. This new rule prevents the taking of clams, quahogs, oysters and mussels from the shores, flats and waters of Deep Cove, Eastport, easterly (shoreward) of a line starting at the westernmost tip of Shackford Head and extending northwesterly to the most westerly tip of Mathews Island.

Department personnel have sampled and surveyed these waters and found this closed area is subject to intermittent microbiological pollution. As a consequence the harvest of clams, mussels, oysters and quahogs must be prohibited to protect the public health.

The size of this closed area is now reduced in size due to the determination that no known public health risk impacts the shellfish in Carrying Place Cove, the northeasterly shore of Mathews Island and the Cobscook Bay shore of Quoddy Village.


E PENN ESTABROOK
Deputy Commissioner



Department of Marine Resources

Legal Notice of Shellfish Closure Area 57B

November 1996

